



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

BRIAN P. MANOOKIAN,

*Plaintiff,*

vs.

FLOYD FLIPPIN et al.,

*Defendants.*

Civil Action No. 3:19-cv-00350

Judge William L. Campbell, Jr.  
Magistrate Judge Alistair Newbern

**MOTION REQUESTING LEAVE TO FILE SURREPLY  
IN OPPOSITION TO MOTION OF ALL DEFENDANTS  
TO DISMISS COMPLAINT**

Plaintiff Brian Manookian moves the Court to grant him leave to file a limited surreply to defendants' reply (Dkt. No. 31) regarding their motion to dismiss (Dkt. No. 23).

The surreply requests that the Court not consider certain impermissible factual assertions in defendants' reply because those assertions lie outside the four corners of the complaint. *Local 18 Int'l Union of Operating Eng'rs v. Ohio Contractors Ass'n*, 644 F. App'x 388, 392–93 (6th Cir. 2016) (citing *Tackett v. M & G Polymers, USA, LLC*, 561 F.3d 478, 487 (6th Cir. 2009)) (“[F]acts outside the complaint’s pleadings are not properly considered in a 12(b)(6) ruling.”).